

REMARKS

Claims 2, 4, 7, 9-11, and 13-17 are pending. Claims 15-17 are new. Claims 2, 4, 13 and 14 are currently amended.

Claim 2 was rejected under 35 U.S.C §103 as being unpatentable over Patent Abstract of Japan JP-07-060074 ("JP '074") in view of U.S. Patent No, 6,150,200 (Zha et al.).

JP '074 discloses a hollow fiber membrane module with a housing 6; a plurality of hollow fiber membranes 7, having a bundled end and a free end; and ports (e.g., port 4) for introducing air and fluid. The Zha et al. patent discloses a porous tube 16 that can be inserted into the center of a membrane module 4.

Claim 2 has been amended to recite "a funnel member beneath the plurality of hollow fiber membranes; and a recovery chamber inside the filter cylinder and below the funnel member." Referring, for example, to FIG. 1 of the present application, a funnel member 3 is positioned below the hollow fiber membranes 6a and a recovery chamber 5 is located below the funnel member 3. No new matter has been added.

During filtering operations, fluid is permitted to flow freely between the recovery chamber 5 and the filter chamber 4 (above the funnel member 3). Fluid within the recovery chamber 5 is maintained in a substantially non-turbulent state, which can be attributed, at least in part, to the recovery chamber 5 being separated from the filter chamber 4 by the funnel member 3. With such an arrangement, deposits 10 that pass into the recovery chamber 5 tend to stay in the recovery chamber 5, while fluid flows in and out of the recovery chamber 5 freely. Certain advantages may be realized by implementing features recited in claim 2. For example, a high-efficiency filter may be provided. Neither JP '074 nor the Zha et al. patent discloses or suggests such an arrangement.

The housing 6 of JP '074 includes a raw fluid outlet 2. However, there is no recovery chamber (such as recovery chamber 5 of the present application) below the raw fluid outlet 2. The raw fluid outlet 2 is simply an outlet. Indeed, the Examiner previously conceded that JP

'074 failed to disclose a recovery chamber in the filter cylinder below a funnel. (*See* office action dated 3/10/2004, page 3)

In that same office action, however, the Examiner indicated that FIG. 5 of the Zha et al. patent discloses a drain tank below the filter cylinder and that, therefore, it would have been obvious to provide a chamber below the funnel chamber of JP '074. (*See* office action dated 3/10/2004, page 3)

Applicants respectfully submit that, FIG. 5 of the Zha et al. patent fails to disclose a drain tank below the filter cylinder. FIG. 5 of the Zha et al. patent indicates that a drain connection (labeled "tank drain") is attached to the tank 15. The Zha et al. patent includes an example of the tank drain's use: "[a]fter several cycles, the solids in the cylinder tank 15 were concentrated and the water in the tank 15 was drained down to remove concentrated backwash." (Column 6, lines 49-52) FIG. 5 of the Zha et al. patent simply does not disclose a separate tank below the cylinder tank 15 for collecting drainage from the cylinder tank 15.

Moreover, even if a collection chamber had been positioned below the raw fluid outlet 2 of JP '074, as the Examiner suggested, the result would have been different from the subject matter of claim 2. Indeed, the asserted combination would have lacked "a recovery chamber *inside the filter cylinder* and below the funnel member" as recited by claim 2. If the combination urged by the Examiner had been made, the contents of the JP '074 module simply would have drained into the collection chamber. Fluid would not have been able to freely flow back and forth between the module and the collection chamber with deposits tending to settle in the collection chamber. Instead, all of the contents simply would have drained from the module into the collection chamber.

Claim 2 should be allowable for at least the foregoing reasons.

New claims 15-17 depend from claim 2 and, therefore, should be allowable for at least the same reasons as claim 2.

Claims 4, 5, 7, 9-11, 13 and 14 also were rejected under 35 U.S.C. §103 as being unpatentable over JP '074 in view of the Zha et al. patent.

Claims 4, 7, 13 and 14 recite limitations that are similar to those discussed above with reference to claim 2. Therefore, those claims should be allowable for at least the same reasons as claim 2.

Claims 5 and 9-11 depend from claims which should be allowable and, therefore, should be allowable for at least the same reasons.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fees are believed to be due. However, please apply any charges or credits to deposit account 06-1050.

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Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Samuel Borodach".

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